

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

OWEN J. ROGAL, D.D.S., P.C.,

Plaintiff,

v.

SKILSTAF, INC.,

Defendant.

**CIVIL ACTION NO.
3:06-cv-00711-MHT**

OWEN J. ROGAL, D.D.S., P.C.,

Plaintiff,

v.

SKILSTAF, INC.,

Defendant.

**CIVIL ACTION NO.
3:06-cv-00728-MHT**

JOINT MOTION FOR AN ORDER PERMITTING THE PARTIES TO CONDUCT SETTLEMENT NEGOTIATIONS OVER THE TELEPHONE

Defendant Skilstaf, Inc. (“Defendant”) and Plaintiff Owen J. Rogal, D.D.S., P.C. (“Plaintiff”) (collectively, “the parties”), respectfully move the Court to grant an order permitting them to conduct the good faith settlement negotiations outlined in the Court’s Uniform Scheduling Order over the telephone. As grounds for this motion, the parties state as follows:

1. On October 12, 2006, the Court entered a Uniform Scheduling Order in each of the above-styled cases. Section 3 of the Court's Uniform Scheduling Order requires the parties to "conduct a face-to-face settlement conference at which counsel shall engage in good faith settlement negotiations" within twenty-one (21) days after the deadline for the filing of dispositive motions.

2. Plaintiff is a corporation with its principal place of business in Philadelphia, Pennsylvania.

3. Defendant is an Alabama corporation with its principal place of business in Alexander City, Alabama.

4. Because Plaintiff is located in Pennsylvania and Defendant is located in Alabama, it will be difficult, costly, and inconvenient for the parties to engage in good faith settlement negotiations face-to-face.

5. To date, the parties' attorneys have already begun to engage in good faith settlement negotiations. Specifically, the parties' attorneys have corresponded through the mail and have spoken on the telephone in an attempt to settle the disputes that exist between them. These settlement negotiations are ongoing.

WHEREFORE, the parties hereby respectfully request the Court to permit them to continue conducting the good faith settlement negotiations outlined in the Court's Uniform Scheduling Order over the telephone.

Respectfully submitted,

s/Robert E. Cole

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Attorneys for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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and I hereby certify that I have mailed by U. S. Postal Service the document to the following non-CM/ECF participants: None.

/s/ Amelia T. Driscoll